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Programme budget for the biennium 2010-2011

Revised estimates resulting from the entry into force of the International Convention for the Protection of all Persons from Enforced Disappearance

Report of the Advisory Committee on Administrative and Budgetary Questions

I. Introduction

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on the revised estimates resulting from the entry into force of the International Convention for the Protection of all Persons from Enforced Disappearance (A/65/628). During its consideration of the report, the Committee met with representatives of the Secretary-General, who provided additional information and clarification.

2. The Advisory Committee recalls that the International Convention for the Protection of all Persons from Enforced Disappearance was adopted by the General Assembly in its resolution 61/177. In accordance with article 39 (para. 1), it entered into force on 23 December 2010, following the deposit of the twentieth instrument of accession on 23 November 2010. Article 26 (paras. 1 and 3) of the Convention provides for the establishment of a Committee on Enforced Disappearances consisting of 10 members through an initial election to be held no later than six months after the date of its entry into force.

3. The report of the Secretary-General (A/65/628) provides the details on the budgetary requirements resulting from the entry into force of the International Convention. The report follows earlier revised estimates submitted by the Secretary-General to the General Assembly after the adoption by the Human Rights Council of resolution 1/1 on the Convention (see A/61/530). The Secretary-General had also informed the General Assembly in the context of the programme budget for the biennium 2010-2011 that, should the Convention enter into force during the biennium 2010-2011, Member States would be informed of the budgetary

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implications in accordance with established procedures (see A/64/6 (Sect. 23), para. 23.39 and also A/64/7, para. VI.8 (a)).

4. Section I of the report of the Secretary-General outlines the functions and activities envisaged, during 2011, 2012 and 2013, including the establishment of the Committee on Enforced Disappearances; the matters it is mandated to consider; the number of meetings of the States parties and sessions of the Committee; reporting requirements; and visits expected to be undertaken (see A/65/628, paras. 5-13). The budgetary implications for the biennium 2010-2011 and estimates to be included in the proposed programme budget for the biennium 2012-2013 are indicated in section II of the report of the Secretary-General. The conclusions and related actions proposed are contained in section IV of his report.

II. Revised estimates

5. The overall estimated additional requirements arising from the entry into force of the International Convention for the Protection of All Persons from Enforced Disappearance are summarized in table 3 of the report of the Secretary-General (A/65/628). The Committee notes that the costs for 2011 relating to the programme budget for the biennium 2010-2011 amount to $836,500, as follows.

- Section 2, General Assembly and Economic and Social Council affairs and conference management ($529,400);
- Section 23, Human rights ($281,600);
- Section 28E, Administration, Geneva ($25,500);
- Section 36, Staff assessment ($31,900) offset by an equivalent amount under income section 1, Income from staff assessment.

The Secretary-General proposes that the requirements be met under the provisions of the contingency fund for the biennium 2010-2011.

6. The overall related requirements for the biennium 2012-2013 are estimated at $7,537,900. The Committee was informed that these emanate from specific provisions of the Convention, and that the budgetary assumptions are based on experience in servicing other treaty bodies. The Secretary-General indicates that these will be dealt with in the context of the proposed programme budget for the biennium 2012-2013.

7. The Advisory Committee's comments and recommendations on the proposed additional requirements are provided in paragraphs 8 to 23 below.

1. Section 2. General Assembly and Economic and Social Council affairs and conference management

8. In accordance with article 26 of the Convention, a one-day meeting of the States parties is planned to be held no later than six months after the date of entry into force of the Convention, in order to elect the members of the Committee on Enforced Disappearances. The Committee will hold its first (one-week) session in the second half of 2011 to discuss organizational matters and adopt rules of procedure. The report of the Secretary-General indicates that another one-day meeting of the States parties is envisaged to be held in 2013, as well as two sessions

of the Committee on Enforced Disappearances, as follows: a second (one-week) session, dedicated mainly to procedural matters and the adoption of its annual report to the General Assembly, and a third session, to be held in the second half of 2012, requiring an extended meeting time of 10 working days, to begin consideration of five reports. Its fourth and fifth sessions (10 working days each) are planned to be held in 2013. In addition, it is assumed that the Committee will visit two States parties in 2012 and 2013, in accordance with article 33 of the Convention. Each visit, of at least two weeks' duration, would include three Committee members accompanied by two staff members and two interpreters (see para. 6 above).

9. As indicated in the report of the Secretary-General, the resources required for 2011 for temporary assistance related to the conference services under section 2, General Assembly and Economic and Social Council affairs and conference management, for the biennium 2010-2011 would amount to $529,400. Upon enquiry, the Committee was informed that, against a total allotment of $327,626,400 authorized in 2010 for section 2, General Assembly and Economic and Social Council affairs and conference management, for the four conference servicing responsibility centres (New York, Geneva, Nairobi and Vienna), expenditures of $320,821,300 or 97.92 per cent, had been incurred at the end of December 2010. The Committee further notes that if overexpenditure occurs in one of the conference servicing responsibility centres, it is generally accommodated through internal redeployment from within the total resources allocated as a whole.

10. In paragraph 17 of the report (A/65/628), the Secretary-General indicated that, in view of the level of the appropriation approved under the programme budget for the biennium 2010-2011 and the expectation that a total of $4,812,500 will be absorbed under section 2, General Assembly and Economic and Social Council affairs and conference management for conference-servicing carried out at the United Nations Office in Geneva for activities mandated by the Human Rights Council and other human rights bodies, the Secretariat has not been able to determine further areas that could absorb the additional requirements. The Secretary-General therefore proposes that additional resources in the amount of $529,400 be provided under section 2, General Assembly and Economic and Social Council affairs and conference management, for temporary assistance in 2011 related to the conference services required. **Since conference-servicing resources are managed globally, the Advisory Committee is of the opinion that the Secretary-General should make efforts to accommodate the additional resources of $529,400 proposed for 2011 from within the resources already appropriated for the biennium 2010-2011 and report thereon in the context of the second performance report.**

11. The Secretary-General indicated that the meetings of the States parties and of the Committee are expected to require interpretation in the six official languages, documentation to be translated and issued in the six official languages, and issuance of summary records in English and French, as summarized in table 1 of the report of the Secretary-General. **The Advisory Committee trusts that the budgeting for the pre- and in-session documentation of the Committee on Enforced Disappearances will take into account the practices in servicing other treaty bodies.**

12. The Secretary-General indicated that the total requirements for the biennium 2012-2013 are estimated at $5,592,100 and are expected to include a mix of

resources related to posts, temporary assistance for meetings and contractual translation, with 2013 being the first year at full workload (see para. 6 above). These would be considered in the context of the proposed programme budget for the biennium 2012-2013.

2. Section 23. Human rights

13. The additional resources proposed under section 23, Human rights, for the biennium 2010-2011 are estimated at $281,600. These would cover the travel and daily subsistence allowance for the 10 members of the Committee to attend the first session in the second half of 2011 ($102,500) and the establishment, also in 2011, of two additional posts (1 P-4 and 1 GS-Other level) to support the Committee ($179,100).

14. In paragraph 22 of the report (A/65/628), the Secretary-General indicated that the minimum Secretariat support needed to provide substantive services to the Committee during a biennium consists of three posts (1 P-4, 1 P-3 and 1 General Service (Other level)), and that additional staff will be required later on to support the increased activities of the Committee related to the urgent action procedure, individual communications and inquiries, in accordance with articles 30, 31 and 33 of the Convention, respectively (see A/65/628, paras. 23-26). However, as indicated by the Secretary-General, since the Committee is not expected to hold its first session until the second half of 2011, the Secretary-General is proposing a phased approach for the establishment of posts. Two posts (1 P-4 and 1 General Service (Other level)) are therefore requested for establishment in 2011(see A/65/628, para. 22 (a) (i) and (ii)). Upon enquiry, the Committee was informed that the Office does not currently have dedicated staff with relevant experience in this field. **In view of the new functions related to the entry into force of the International Convention and the substantive nature of the work to be performed, the Advisory Committee recommends acceptance of the two posts proposed (1 P-4 and 1 General Service (Other level)) to be established in 2011.**

15. Upon enquiry, the Committee was informed that, against the total allotment of $70,740,000 authorized for 2010 under the regular budget for section 23, Human rights, an amount of $65,774,900, or 93 per cent, had been expended as at the end of December 2010. **The Advisory Committee recommends that the requirements proposed for 2011 of $281,600 under section 23, Human rights, be met from the resources already appropriated under the programme budget for the biennium 2010-2011. Given that the General Assembly will only consider the requested posts at the first resumed part of its sixty-fifth session, the Committee recommends that their establishment be effective 1 April, rather than 1 January 2011, as anticipated by the report of the Secretary-General. The related resources indicated in paragraph 14 above should therefore be adjusted accordingly.**

16. In paragraph 28 of his report, the Secretary-General indicated that the total requirements for the biennium 2012-2013 for section 23, Human rights, are estimated at $1,730,100, including the delayed impact of the two posts (1 P-4 and 1 General Service (Other level)) proposed to be established in 2011. The Advisory Committee notes that the General Assembly, in paragraph 3 of its resolution 65/204, requested the Secretary-General to submit to the General Assembly at its sixty-sixth session proposals on the human rights treaty bodies, to improve their effectiveness

and identify efficiencies in their working methods and resource requirements. **The Committee expects that resource proposals for 2012-2013 will take into account the request by the General Assembly.**

3. Section 28E. Administration, Geneva

17. As indicated in paragraph 30 of the report (A/65/628), additional requirements of $25,500 are expected to arise in 2011 in connection with the establishment of the Committee on Enforced Disappearances under section 28E, Administration, Geneva, as follows: conference-servicing support ($4,500); common support costs associated with the establishment of the two posts proposed (1 P-4 and 1 General Service (Other level)), including non-recurrent costs for office furniture and equipment ($12,600) and recurrent costs for mail, supplies, telecommunications, utilities and office cleaning ($8,400). **The Advisory Committee is of the view that the requirements for 2011 should be met from within the resources already appropriated under section 28E for the biennium 2010-2011.**

18. The related requirements for 2012-2013, estimated at $215,700, would be considered in the context of the proposed programme budget for the biennium 2012-2013 (see A/65/628, para. 31).

4. Section 36. Staff assessment, and income section 1, Income from staff assessment

19. In paragraph 32 of the report, the Secretary-General indicated that the proposal related to the establishment of the two new posts (1 P-4 and 1 GS-OL) proposed to be established for 2011 (see para. 14) under section 23, Human rights, would give rise to additional requirements of $31,900 under section 36, Staff assessment, of the programme budget for the biennium 2010-2011. The provision would be offset by a corresponding amount under income section 1, Income from staff assessment.

III. Conclusion

20. The action to be taken by the General Assembly is set out in paragraphs 39 and 40 of the report of the Secretary-General. **Taking into account its recommendations in paragraphs 8 to 20 above, the Advisory Committee recommends that the General Assembly take note of the additional resource requirements amounting to $836,500 for the biennium 2010-2011 arising from the entry into force of the International Convention for the Protection of all Persons from Enforced Disappearances, as follows:**

- **$529,400 under section 2, General Assembly and Economic and Social Council affairs and conference management;**
- **$281,600 under section 23, Human rights;**
- **$25,500 under section 28E, Administration, Geneva;**
- **$31,900 under section 36, Staff assessment, to be offset by an equivalent amount under income section 1, Income from staff assessment.**

In the view of the Advisory Committee, these requirements should be met from within the resources already appropriated under the programme budget for the biennium 2010-2011. The Secretary-General should be requested to report, as

necessary, within the context of the second performance report on the programme budget for the biennium 2010-2011.

21. **The Committee further recommends that the General Assembly approve the establishment of one P-4 post and one General Service (Other level) post under section 23, Human rights, effective 1 April 2011, on the understanding that, as indicated in paragraph 15 above, the related resource requirements will be met from within the resources already appropriated for the biennium 2010-2011.**

22. **As to the estimated related requirements for the biennium 2012-2013, these should be considered in the context of the proposed programme budget for the biennium 2012-2013. The Advisory Committee stresses that approval by the General Assembly of the proposals relating to the biennium 2010-2011 should not in any way prejudge the required full justification of envisaged additional requirements in the context of the proposed programme budget for the biennium 2012-2013.**